

Attorney Docket No. DP-308635

**REMARKS**

Claims 1-24 remain in the application with claim 1 in independent form. As indicated above, no claims have been amended by the present Amendment. As such, no new matter has been introduced.

Claims 1-24 stand rejected under 35 U.S.C. §§ 102 and/or 103 in view of various prior art references. Relative to independent claim 1, there are two primary rejections. More specifically, claims 1-4, 6, 7, 13, 15, 23, and 24 stand rejected under 35 U.S.C. § 102(e) as anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over Rittri et al. (U.S. Patent No. 6,790,259). Claims 1-4, 6, 7, 13, 15, 23, and 24 also stand rejected under 35 U.S.C. 103(a) as being unpatentable over Rittri et al. in view of Backus (U.S. Patent No. 5,133,788).

Independent claim 1 claims a portable air filtration system and positively recites, among other components, a filter housing, an intake fan, an ionizing mechanism, a filter media, and an electrode. The electrode is disposed between the ionizing mechanism and the filter media to establish an electric field between the ionizing mechanism and the electrode adjacent to filter media. Furthermore, independent claim 1 recites that the electrode is electrically connected to ground and also to the filter media. As such, the electrode is able to dissipate the negative charge of the particles entrapped within the filter media thereby maintaining an efficiency of the filter media over time.

In contrast, Rittri et al. does not disclose, teach, or suggest the claimed arrangement for the portable air filtration system of the present invention. In paragraph 5 on page 3 of the Office Action, the Examiner contends that Rittri et al. discloses an air filtration system with a grounded

Attorney Docket No. DP-308635

conductive dissipative electrode grid 6 "as claimed". This simply is not the case. Although Rittri et al. does disclose an electrode grid 6, the air filtration system of Rittri et al. does not disclose, teach, or suggest the electrode as claimed in independent claim 1. Instead, in Figure 1 of Rittri et al., the grid 6 is clearly disclosed spaced from the filter 2 and not in electrical connection with the filter 2. In fact, in claims 6 and 9, Rittri et al. even clarifies that the grid 6 is "electrically isolated". Admittedly, in column 2, lines 54-57, Rittri et al. does recognize that, in one particular embodiment, the grid is provided adjacent and in contact with the filter 2. However, in this same embodiment, Rittri et al. clearly indicates that when the grid is in connection with the filter media, and therefore electrically connected to the filter 2, the grid 6 is not connected to ground (refer to column 2, line 55 "where the grid 6 is not connected to ground") which is also a required element of independent claim 1 of the claimed invention. Notably, in the embodiments of Rittri et al. where the grid 6 is connected to ground, it is for draining charge from the grid and not from the filter 2.

In view of the clarifying remarks set forth above, it is respectfully submitted that the Examiner's § 102(e) rejection relying on Rittri et al. is overcome. As for the Examiner's alternative rejection relying on § 103(a), there is nothing in Rittri et al. that teaches or suggests electrically connecting the grid 6 with the filter 2 instead of electrically isolating the grid 6 from the filter 2. In fact, as noted above, Rittri et al. teaches the contrary. Rittri et al. teaches to electrically isolate its grid 6 and makes no mention whatsoever of draining (or dissipating) charge from its filter. As such, Rittri et al. cannot be appropriately modified or combined with another prior art reference to arrive at the claimed invention.

H&H #60408-191  
Serial No. 10/647,748

- 7 -

Attorney Docket No. DP-308635

The second primary rejection of independent claim 1 by the Examiner relies on § 103(a) and a combination of Rittri et al. with Backus. This rejection is also overcome for the same reasoning discussed above. More specifically, the disclosure and teachings of Backus do not remedy the deficiencies of Rittri et al. whereby there is clearly no disclosure, teaching, or suggestion to electrically connect the electrode with the filter at the same time the electrode is also electrically connected to ground such that the negative charge of particles entrapped within the filter can be dissipated. The Examiner's § 103(a) rejection relying on Rittri et al. in view of Backus is, therefore, also overcome.

The remaining 103(a) rejections relying, in part, on Kuo-Long, Burnett et al., Chapman, Volodina et al., and Joannou do not apply to the rejection of independent claim 1. In any event, these other prior art references do not remedy the critical deficiency in the independent and/or combined teachings of the prior art relating to the electrically connected arrangement between the electrode and the filter of Rittri et al. As such, it is respectfully submitted that the Examiner's §§ 102 and 103 rejections are overcome and that independent claim 1 is, therefore, allowable. Furthermore, the remaining claims, specifically claims 2-24, depend from the novel and unique features of independent claim 1 such that these claims are also allowable.

It is respectfully submitted that the application is now presented in condition for allowance, which allowance is respectfully solicited.

The Commissioner is authorized to charge our deposit account no. 08-2789 for any additional fees or credit the account for any overpayment.

Attorney Docket No. DP-308635

Respectfully submitted,

HOWARD & HOWARD ATTORNEYS

June 22, 2005

Date

*David M. LaPrairie*

David M. LaPrairie, Registration No. 46,295

Howard and Howard Attorneys, P.C.

The Pinehurst Office Center, Suite 101

39400 Woodward Ave.

Bloomfield Hills, MI 48304-5151

(248) 723-0442

H&H #60408-191  
Serial No. 10/647,748

- 9 -